

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 336 be amended to read as follows:

- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 16-41-37-4 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. A person who  
5 smokes:  
6           (1) in a public building, except in an area designated as a smoking  
7 area under section 5 of this chapter;  
8           (2) in the retail area of a grocery store or drug store that is  
9 designated as a nonsmoking area by the store's proprietor;  
10          (3) in the dining area of a restaurant that is designated and posted  
11 as the restaurant's nonsmoking area by the restaurant's proprietor;  
12          or  
13          (4) in a school bus during a school week or while the school bus  
14 is being used for a purpose described in section 2.3(3) of this  
15 chapter;  
16          **(5) in a public means of mass transportation, including a**  
17 **train, an airplane, a taxicab, or a bus;**  
18          **(6) in an enclosed area of a public mass transportation**  
19 **terminal or waiting area; or**  
20          **(7) within one hundred (100) feet of an entrance to a public**  
21 **mass transportation terminal or waiting area;**  
22 commits a Class B infraction. However, the violation is a Class A  
23 infraction if the person has at least three (3) previous unrelated  
24 judgments for violating this section that are accrued within the twelve

- 1 (12) months immediately preceding the violation."
- 2 Renumber all SECTIONS consecutively.  
(Reference is to ESB 336 as printed February 22, 2008.)

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Representative Turner